



## CITY OF DURHAM | NORTH CAROLINA

**Date:** April 7, 2015

**To:** Thomas J. Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Kevin Dick, Director, Office of Economic and Workforce Development  
**Subject:** Acceptance of the Donation of a Sculpture from Liberty Arts

### Executive Summary

This item recommends that the City Council accept a donation by Liberty Arts, Inc. of a sculpture for installation on the Durham Convention Center Plaza.. The item also recommends that the City Council hear a brief presentation about the sculpture design, at the scheduled Work Session.

### Recommendation

The Office of Economic and Workforce Development (OEWD) recommends that the City Council:

1. Authorize the City Manager to execute an agreement with Liberty Arts, Inc. to accept the donation to the City of the sculpture titled "The Pursuit of Happiness" currently located in the Convention Center Plaza; and
2. Approve the location of the sculpture in the Convention Center Plaza, but authorize the City Manager to determine, if in the best interest of the City, an alternate location for the sculpture.

### Background

On November 21, 2011 the City Council approved a Resolution Establishing a Public Art Policy, to establish a public art process for the City of Durham, including the process for the donation of works of art to the City of Durham. As stated in that resolution, "...a public art program is important to a city, because it brings social, cultural, educational and economic benefits to the public and visitors to the city..."

On January 6, 2014 the City entered into a contract with Liberty Arts, Inc. to provide funding for the first Bull City Sculpture Show, a national juried outdoor sculpture exhibit juried by Durham architect Phillip Freelon. Under the terms of the agreement, Liberty Arts committed to offer a purchase prize for one of the sculptures from the show to be purchased by Liberty Arts to remain in Durham on public display. Liberty Arts offered the selected piece to the City. On November 3, 2014, the City Council voted to accept ownership of that piece.

In March 2015 a donor offered Liberty Arts the funds to purchase a second piece from the Bull Durham Sculpture Show, to be donated to the City with the request that the piece remain in its current, temporary, location. Liberty Arts has offered the piece to the City. The work is entitled "The Pursuit of Happiness" and was created by artist Charlie Brouwer.

The work is an abstract sculpture, in the form of a walking man carrying his home under his arm, 98" by 44" by 63" and valued at \$7,000.00. It is constructed of locust wood boards attached with deck screws. The General Services Department has reviewed the installation and maintenance issues and is satisfied that it can maintain the piece at minimal cost.

A resident of Willis, Virginia, Charlie Brouwer studied art at Portland State University in Oregon. He has taught art in Australia and in Michigan, where he studied at Western Michigan University, receiving a Master of Arts degree in painting and a Master of Fine Arts degree in sculpture. He taught for twenty-one years at Radford University in Virginia, before retiring in 2008 to work full time as an artist. He has exhibited in 206 group or solo exhibits and installations since 1975, in seventeen states and in Australia, Hungary and Poland.

The Cultural Advisory Board and the Public Art Committee, at their regular March 2015 meetings, both voted unanimously to recommend that the City accept ownership of the piece at its present location. The Durham Convention Center Authority, at its March 26, 2015 meeting, voted to endorse the acceptance by the City of the piece, to remain permanently at the Convention Center Plaza location. On April 7, Assistant County Manager Drew Cummings informed OEWD that the County has no objection to the piece remaining in the Convention Center Plaza as a City-owned artwork. Downtown Durham, Inc. notified OEWD of its support for retaining the piece in the Convention Center Plaza on April 7. In a letter dated April 7, PAC5 notified OEWD of its endorsement of the proposal, describing the piece as "a wonderful addition to the plaza." The proposal also has the endorsement of the Durham Arts Council.

### **Issues and Analysis**

A major priority of the City of Durham is increasing and strengthening the economic stability of the City. Studies have demonstrated that arts spending contributes to economic activity and local government revenues, encouraging visitorship and associated spending. Public art adds to the appearance of neighborhoods and promotes a sense of place. Staff endorses the acceptance of the donation and the recommended location, which would serve to promote the continued revitalization and vitality of downtown Durham. It recommends that the acceptance of the piece for specific proposed location, with the provision that the piece could be moved to an alternate location in the future if appropriate. The artist has granted the City the right to destroy the piece if and when it deteriorates. Locust wood is an extremely durable wood for outdoor uses and it is presumed that with relatively limited maintenance the piece should last for many years.

The encouragement of public art is a stated goal of the Downtown Master Plan, Citywide Strategic Plan and Durham Comprehensive Plan.

**Alternatives**

The City Council may reject the recommendation to accept ownership of the work. Not approving the acceptance would eliminate the opportunity for the City to own a significant work by a respected regional artist.

**Financial Impact**

Approval of the donation will have no impact on the General Fund, other than the costs of adding occasional maintenance, as outlined in the agreement, to the General Services Department's maintenance schedule.

**SDBE**

An SDBE summary is inapplicable because no project-specific goals have been set and no SDBEs are involved in this item.

**Attachments**

Contract for Purchase of Sculpture "The Pursuit of Happiness" (to be signed by Liberty Arts and the artist)

The Pursuit of Happiness Artwork Acceptance Agreement (to be signed by Liberty Arts and the City of Durham)

Photograph of the Pursuit of Happiness at the Convention center Plaza location.